

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
LUIS A. VAZQUEZ-DIAZ,

Petitioner,

-against-

21 **CIVIL** 6757 (VB)

JUDGMENT

UNITED STATES OF AMERICA,

Respondent.
-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 21, 2022, the motion to dismiss for lack of subject matter jurisdiction is GRANTED. The petition is DISMISSED. A federal prisoner seeking habeas relief under Section 2241 need not obtain a certificate of appealability to take an appeal. See *Murphy v. United States*, 199 F.3d 599, 601 n.2 (2d Cir. 1999). However, the Court certifies pursuant to 28 U.S.C. Section 1915(a)(3) that any appeal from the Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

Dated: New York, New York

March 21, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

Kmango

Deputy Clerk